

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA

v

EARNEST D. BATTLE

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CR. NO. 2:07cr307-MEF

ORDER

Upon consideration of the motion for leave to file motion to dismiss out of time (doc. # 39) filed by the defendant, it is

ORDERED that the motion be and is hereby GRANTED. The defendant shall file his motion to dismiss on or before September 10, 2008. It is further

ORDERED that the United States shall file a response to any motion filed on or before September 17, 2008.

Done this 2nd day of September, 2008.

/s/Charles S. Coody
CHARLES S. COODY
UNITED STATES MAGISTRATE JUDGE